

MAY 10 2004

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Fax Number: 703-872-9306 Telephone No.: \_\_\_\_\_  
From: Kenneth J. Cool  
Date: May 10, 2004 Time: \_\_\_\_\_  
Operator: Krista Mathieson Matter: 42390.P10435  
Number of pages including cover sheet: 16  
In Re Patent Application of: "Identifying Data Loss In A Transmission System"  
Application No.: 09/872,275  
Filed: May 31, 2001  
For: Sherlock, Stuart W.  
Enclosed are the following documents: Attached are the following: a  
Transmittal form, the Fee Transmittal Form (In duplicate), an RCE Transmittal and  
the Preliminary Amendment.

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|  |                      |                        |             |
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| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application No.      | 09/872,375             |             |
|  | Filing Date          | May 31, 2001           |             |
|  | First Named Inventor | Stuart W. Sherlock     |             |
|  | An Unit              | 2857                   |             |
|  | Examiner Name        | Tsal, Carol S.W.       |             |
| Total Number of Pages in This Submission   | 15                   | Attorney Docket Number | 42390P10435 |

| ENCLOSURES (check all that apply)   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Response<br><input type="checkbox"/> Alter Final<br><input type="checkbox"/> Affidavits/Declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> PTO/SB/08<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Basic Filing Fee<br><input type="checkbox"/> Declaration/POA<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         First Class Certificate of Mailing stamped return postcard and the RCE Transmittal.       </div> |
| Remarks   |   |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Kenneth J. Cool, Reg. No. 40,570<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature                                  | <i>[Handwritten Signature]</i>   |
| Date                                       | May 10, 2004   |

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| I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office. |                         |
| Typed or printed name  | Krista Mathieson        |
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Enclosure PTO/SB/081, not to be used by Blakely, Sokoloff, Taylor & Zafman until 02/10/2004  
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| FEE TRANSMITTAL<br>for FY 2004<br><small>Effective 10-01-2004. Patent fees are subject to annual revision.</small> |  | Complete if Known    |                    |
|--|--|----------------------|--------------------|
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.                                    |  | Application Number   | 09/872,275         |
| TOTAL AMOUNT OF PAYMENT (\$)   |  | Filing Date          | May 31, 2001       |
| 1,720.00   |  | First Named Inventor | Stuart W. Sherlock |
|  |  | Examiner Name        | Tsai, Carol S.W.   |
|  |  | An Unit              | 2857               |
|  |  | Attorney Docket No.  | 32390P10435        |

  

| METHOD OF PAYMENT (check all that apply)  |          | FEE CALCULATION (continued) |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
|---|----------|-----------------------------|----------|---|----------|-----------------|----------|----------|----------|----------|----------|------|-----|------|------|------------------------|--|------|-----|------|------|-----------------------------------|--|------|-----|------|-----|---|--|------|-----|------|-----|---|--|------|-----|------|----|---|--|--------------|--|--|--|--|------|--|--|
| <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None   |          | 3. ADDITIONAL FEES          |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
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| Deposit Account Number: 50-0221   |          |                             |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| Deposit Account Name: Intel Corporation   |          |                             |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
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| <input checked="" type="checkbox"/> Charge fees to deposit account <input checked="" type="checkbox"/> Credit any overpayment   |          |                             |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20  |          |                             |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| <input type="checkbox"/> Charge fees to deposit account below except for the filing fee (if filing date is within 3 months of filing)   |          |                             |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| FEE CALCULATION   |          |                             |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1. BASIC FILING FEE   |          |                             |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| <table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>510</td><td>2003</td><td>255</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>270</td><td>2004</td><td>135</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>100</td><td>2005</td><td>50</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>175</td></tr></tbody></table>  |          | Large Entity                |          | Small Entity  |          | Fee Description | Fee Paid | Fee Code | Fee (\$) | Fee Code | Fee (\$) | 1001 | 750 | 2001 | 375  | Utility filing fee     |  | 1002 | 340 | 2002 | 170  | Design filing fee                 |  | 1003 | 510 | 2003 | 255 | Plant filing fee                        |  | 1004 | 270 | 2004 | 135 | Reissue filing fee                              |  | 1005 | 100 | 2005 | 50 | Provisional filing fee                                  |  | SUBTOTAL (1) |  |  |  |  | 175  |  |  |
| Large Entity  |          | Small Entity                |          | Fee Description   | Fee Paid |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| Fee Code  | Fee (\$) | Fee Code                    | Fee (\$) |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1001  | 750      | 2001                        | 375      | Utility filing fee                                      |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1002  | 340      | 2002                        | 170      | Design filing fee                                       |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1003  | 510      | 2003                        | 255      | Plant filing fee  |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1004  | 270      | 2004                        | 135      | Reissue filing fee                                      |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1005  | 100      | 2005                        | 50       | Provisional filing fee                                  |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| SUBTOTAL (1)  |          |                             |          |   | 175      |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 2. EXTRA CLAIM FEES   |          |                             |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| <table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1007</td><td>15</td><td>2007</td><td>7.50</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1008</td><td>15</td><td>2008</td><td>7.50</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1009</td><td>20</td><td>2009</td><td>10</td><td>Multiple Dependent claims (if not paid)</td><td></td></tr><tr><td>1010</td><td>10</td><td>2010</td><td>5</td><td>Reissue independent claims over original patent</td><td></td></tr><tr><td>1011</td><td>10</td><td>2011</td><td>5</td><td>Reissue claims in claims of 20 and over original patent</td><td></td></tr><tr><td colspan="5">SUBTOTAL (2)</td><td>0.00</td></tr></tbody></table> |          | Large Entity                |          | Small Entity  |          | Fee Description | Fee Paid | Fee Code | Fee (\$) | Fee Code | Fee (\$) | 1007 | 15  | 2007 | 7.50 | Claims in excess of 20 |  | 1008 | 15  | 2008 | 7.50 | Independent claims in excess of 3 |  | 1009 | 20  | 2009 | 10  | Multiple Dependent claims (if not paid) |  | 1010 | 10  | 2010 | 5   | Reissue independent claims over original patent |  | 1011 | 10  | 2011 | 5  | Reissue claims in claims of 20 and over original patent |  | SUBTOTAL (2) |  |  |  |  | 0.00 |  |  |
| Large Entity  |          | Small Entity                |          | Fee Description   | Fee Paid |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| Fee Code  | Fee (\$) | Fee Code                    | Fee (\$) |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1007  | 15       | 2007                        | 7.50     | Claims in excess of 20                                  |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1008  | 15       | 2008                        | 7.50     | Independent claims in excess of 3                       |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1009  | 20       | 2009                        | 10       | Multiple Dependent claims (if not paid)                 |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1010  | 10       | 2010                        | 5        | Reissue independent claims over original patent         |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| 1011  | 10       | 2011                        | 5        | Reissue claims in claims of 20 and over original patent |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| SUBTOTAL (2)  |          |                             |          |   | 0.00     |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |
| SUBTOTAL (3)  |          | 1,720.00                    |          |   |          |                 |          |          |          |          |          |      |     |      |      |                        |  |      |     |      |      |                                   |  |      |     |      |     |   |  |      |     |      |     |   |  |      |     |      |    |   |  |              |  |  |  |  |      |  |  |

  

| SUBMITTED BY      |                 | Complete if applicable            |                |
|-------------------|-----------------|-----------------------------------|----------------|
| Name (Print Type) | Kenneth J. Cool | Registration No. (Attorney/Agent) | 40,570         |
| Signature         |                 | Telephone                         | (408) 850-1229 |
|                   |                 | Date                              | 5/10/04        |

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|--|--|----------------------|--------------------|
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.                                    |  | Application Number   | 09/872,275         |
| TOTAL AMOUNT OF PAYMENT (\$)   |  | Filing Date          | May 31, 2004       |
| 1,720.00   |  | First Named Inventor | Stuart W. Sherlock |
|  |  | Examiner Name        | Tsai, Carol S.W.   |
|  |  | Art Unit             | 2857               |
|  |  | Attorney Docket No.  | 42390P10435        |

  

| METHOD OF PAYMENT (check all that apply)   |                 | FEE CALCULATION (continued)      |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
|--|-----------------|----------------------------------|----------------|----------|---|------------------------|----------|-----------------|--------------------|------|-----|-----|------|-------|--------|--------------------|--|------|-----|-----|------|-----|--------------|-------------------|--|------|-----|-----|------|----------|----------|-------------------|----------|----------|-----------------|-----|------|-----|------|--------------------|---|------------------------|-----|------|------|------|----|------------------------|-----------------------------------|--------------|------|-----|------|-----|---|--|-----|------|----|------|----|---|---|--|------|----|------|---|---|---|--|--------------|--|--|--|--|--|--|----------|--|--|
| <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Draft <input type="checkbox"/> None  |                 | 3. ADDITIONAL FEES               |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| <input checked="" type="checkbox"/> Debit Account  |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Deposit Account Number: 50-0221  |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Deposit Account Name: Intel Corporation  |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| The Commissioner is authorized to: (mark all that apply)<br><input checked="" type="checkbox"/> Charge fees as indicated below <input checked="" type="checkbox"/> Credit any overpayment<br><input checked="" type="checkbox"/> Charge any withdrawal fee(s) or underpayment of fees as required under 37 CFR §§ 1.18, 1.17, 1.16 and 1.103<br><input type="checkbox"/> Charge fees as indicated below except for the filing fee in an unexamined divisional request  |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| FEE CALCULATION  |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1. BASIC FILING FEE  |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| <table border="1"><thead><tr><th>Large Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>770</td><td>100</td><td>1002</td><td>301</td><td>50</td><td>Utility filing fee</td><td></td></tr><tr><td>1102</td><td>340</td><td>200</td><td>2003</td><td>170</td><td>100</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>500</td><td>250</td><td>2004</td><td>288</td><td>150</td><td>Patent filing fee</td><td></td></tr><tr><td>1004</td><td>770</td><td>100</td><td>2005</td><td>345</td><td>170</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>100</td><td>50</td><td>2006</td><td>60</td><td>30</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="7">SUBTOTAL (1)</td><td>(5)</td></tr></tbody></table>  |                 | Large Entity                     | Fee Code       | Fee (\$) | Small Entity  | Fee Code               | Fee (\$) | Fee Description | Fee Paid           | 1001 | 770 | 100 | 1002 | 301   | 50     | Utility filing fee |  | 1102 | 340 | 200 | 2003 | 170 | 100          | Design filing fee |  | 1003 | 500 | 250 | 2004 | 288      | 150      | Patent filing fee |          | 1004     | 770             | 100 | 2005 | 345 | 170  | Reissue filing fee |   | 1005                   | 100 | 50   | 2006 | 60   | 30 | Provisional filing fee |                                   | SUBTOTAL (1) |      |     |      |     |   |  | (5) |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Large Entity   | Fee Code        | Fee (\$)                         | Small Entity   | Fee Code | Fee (\$)  | Fee Description        | Fee Paid |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1001   | 770             | 100                              | 1002           | 301      | 50  | Utility filing fee     |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1102   | 340             | 200                              | 2003           | 170      | 100   | Design filing fee      |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1003   | 500             | 250                              | 2004           | 288      | 150   | Patent filing fee      |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1004   | 770             | 100                              | 2005           | 345      | 170   | Reissue filing fee     |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1005   | 100             | 50                               | 2006           | 60       | 30  | Provisional filing fee |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| SUBTOTAL (1)   |                 |                                  |                |          |   |                        | (5)      |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 2. EXTRA CLAIM FEES  |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| <table border="1"><thead><tr><th>Total Claims</th><th>37</th><th>30*</th><th>0</th><th>X</th><th>18.00</th><th>Fee Paid</th></tr><tr><th>Independent Claims</th><td>3</td><td>3*</td><td>0</td><td>X</td><td>88.00</td><td>\$0.00</td></tr><tr><th>Multiple Dependent</th><td></td><td></td><td></td><td></td><td></td><td></td></tr></thead><tbody><tr><td colspan="7">Large Entity</td></tr><tr><td>Fee Code</td><td>Fee (\$)</td><td>Small Entity</td><td>Fee Code</td><td>Fee (\$)</td><td>Fee Description</td><td></td></tr><tr><td>1202</td><td>15</td><td>2202</td><td>0</td><td>0</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>80</td><td>2201</td><td>40</td><td>0</td><td>Independent claims in excess of 5</td><td></td></tr><tr><td>1203</td><td>250</td><td>2203</td><td>145</td><td>0</td><td>Multiple Dependent claims, if not paid</td><td></td></tr><tr><td>1204</td><td>00</td><td>2204</td><td>40</td><td>0</td><td>Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>15</td><td>2205</td><td>0</td><td>0</td><td>Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="7">SUBTOTAL (2)</td><td>(5) 0.00</td></tr></tbody></table> |                 | Total Claims                     | 37             | 30*      | 0   | X                      | 18.00    | Fee Paid        | Independent Claims | 3    | 3*  | 0   | X    | 88.00 | \$0.00 | Multiple Dependent |  |      |     |     |      |     | Large Entity |                   |  |      |     |     |      | Fee Code | Fee (\$) | Small Entity      | Fee Code | Fee (\$) | Fee Description |     | 1202 | 15  | 2202 | 0                  | 0 | Claims in excess of 20 |     | 1201 | 80   | 2201 | 40 | 0                      | Independent claims in excess of 5 |              | 1203 | 250 | 2203 | 145 | 0 | Multiple Dependent claims, if not paid |     | 1204 | 00 | 2204 | 40 | 0 | Reissue independent claims over original patent |  | 1205 | 15 | 2205 | 0 | 0 | Reissue claims in excess of 20 and over original patent |  | SUBTOTAL (2) |  |  |  |  |  |  | (5) 0.00 |  |  |
| Total Claims   | 37              | 30*                              | 0              | X        | 18.00   | Fee Paid               |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Independent Claims   | 3               | 3*                               | 0              | X        | 88.00   | \$0.00                 |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Multiple Dependent   |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Large Entity   |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Fee Code   | Fee (\$)        | Small Entity                     | Fee Code       | Fee (\$) | Fee Description   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1202   | 15              | 2202                             | 0              | 0        | Claims in excess of 20                                  |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1201   | 80              | 2201                             | 40             | 0        | Independent claims in excess of 5                       |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1203   | 250             | 2203                             | 145            | 0        | Multiple Dependent claims, if not paid                  |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1204   | 00              | 2204                             | 40             | 0        | Reissue independent claims over original patent         |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| 1205   | 15              | 2205                             | 0              | 0        | Reissue claims in excess of 20 and over original patent |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| SUBTOTAL (2)   |                 |                                  |                |          |   |                        | (5) 0.00 |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| *For claims previously paid, if greater. For Reissue, not below  |                 |                                  |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| SUBMITTED BY   |                 | Complete (if applicable)         |                |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Name (Print Name)  | Kenneth J. Cool | Registration No. (Attorney Only) | 40,570         |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
| Signature  |                 | Telephone                        | (408) 850-1229 |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |
|  |                 | Date                             | 5/10/04        |          |   |                        |          |                 |                    |      |     |     |      |       |        |                    |  |      |     |     |      |     |              |                   |  |      |     |     |      |          |          |                   |          |          |                 |     |      |     |      |                    |   |                        |     |      |      |      |    |                        |                                   |              |      |     |      |     |   |  |     |      |    |      |    |   |   |  |      |    |      |   |   |   |  |              |  |  |  |  |  |  |          |  |  |

Based on PTO/US 17 (10-03) as modified by Bishop, Edick, Taylor & Zisman (rev) 02/00/04  
USPTO TOC, Committee for Patent, P.O. Box 1450, Alexandria, VA 22304-1450

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Docket No.: 42P10435

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/872,275  
Inventor : Sherlock, Stuart W.  
Filed : May 31, 2001  
Art Unit : 2606  
Examiner : Tsai, Carol S. W.  
Title : Identifying Data Loss In A Transmission System

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Kindly consider the following:

CERTIFICATE OF TRANSMISSION

I hereby certify that I am causing the above-referenced correspondence to be facsimile transmitted to the US Patent and Trademark Office:

May 10, 2004

Date of Transmission

Krista A. Mathieson

Name of Person Faxing Correspondence

Signature

Date

Attorney Docket No.: 42P10435  
Application No.: 09/872,275

1

**INTRODUCTORY COMMENTS****Request for an Extension of Time**

It is believed that no additional extension of time fee is required. In the event any extension of time fee is required, or any other fee related to this Response is required, please consider this a request therefore. Authorization is hereby given to charge Deposit Account No. 50-0221 for such fee or fees.

**Authorization to Charge Deposit Account**

Authorization is hereby given to charge Deposit Account No. 50-0221 for any fee or fees related to this Office Action Response.